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PATENT

24024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application	n of: Richard Walmsley)	Examiner:	not yet assigned
Serial No.:	10/519,181)	Art Unit:	not yet assigned
Filed:	December 21, 2004)	Attorney Doc	ket No.: 30276/04004
For:	LASER BEAM HOMOGENISER IN MEDICAL APPLICATIONS	s))		

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A&B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

FOREIGN LANGUAGE DOCUMENTS

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with that portion of the Communication indicating the degree of relevance found by the foreign patent office.



INFORMATION DISCLOSURE STATEMENT Appln. No. 10/519,181 foreign patent office.

		In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:			
	_	plete English translations of foreign language documents are being submitted with, and therefore no concise explanation for such documents is required.			
CER	TIFIC	ATION AND FEE PAYMENT INFORMATION			
	The p mont Actio Actio there require	bresent Information Disclosure Statement is being filed: (1) No later than three hs from the application's filing date; (2) Before the mailing date of the first Office on on the merits (whichever is later); or (3) Before the mailing date of the first Office on after filing a request for continued examination under 37 C.F.R. § 1.114, and fore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is red. If this is not the case, the patent office is hereby authorized to charge any end fee to Deposit Account No. 030172 .			
	Comi States Inform office indiv	present Information Disclosure Statement is being filed thirty days or fewer from a munication from a foreign patent office and Applicant submits the following ment Under 37 C.F.R. § 1.704(d). Each item of information contained in the mation Disclosure Statement was cited in a Communication from a foreign patent in a counterpart application and this Communication was not received by any idual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of information Disclosure Statement.			
	month the mother Appli C.F.F	bresent Information Disclosure Statement is being filed after the later of three this from the application's filing date and mailing date of the first Office Action on herits, but before a Final Office Action, Notice of Allowance, or an action that wise closes prosecution in the application (whichever is earlier), and therefore icant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.§ 1.17(p) is required. If this is not the case, the patent office is hereby authorized arge any related fee to Deposit Account No. 030172			
		Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.			
		No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than			

INFORMATION DISCLOSURE STATEMENT

Attorney Docket No. 30276/04004

Appln. No. 10/519,181

three months prior to the filing of this statement.

	37 C.F the ma Notice (which	resent Information Disclosure Statement is being filed (without a Statement under J.R. § 1.97(e)) after the later of three months from the application's filing date and ailing date of the first Office Action on the merits, but before a Final Office Action, of Allowance, or an action that otherwise closes prosecution in the application never is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. $I(p)$. The fee is being paid in the following manner:	
		A check is attached in the amount of \$ as required under 37 § 1.17(p).	
		The patent office is hereby authorized to charge the amount of \$ and any related fee to Deposit Account No. 030172	
The present Information Disclosure Statement is being filed after the mailing of Office Action, Notice of Allowance or an action that otherwise closes prosecularly application, but on or before the payment of the issue fee. Accordingly, Appli submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee under 37 C.F.R. § 1.17(p).			
		Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.	
		No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.	
		AND, the fee is being paid in the following manner:	
		A check is attached in the amount of \$ as required under 37 § 1.17(p).	

INFORMATION DISCLOSURE STATEMENT Appln. No. 10/519,181

Attorney Docket No. 30276/04004

	•	ereby authorized to charge the amount of \$ and posit Account No. 030172
		Respectfully submitted,
Date: Man	ch 3, 2005	By: John S. Jonelius Brian E. Kondas, Reg. No. 40,685 CALFEE, HALTER & GRISWOLD LLP 1400 McDonald Investment Center 800 Superior Ave. Cleveland, OH 44114-2688
		(216) 622-8308

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Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known		
Application Number	10/519,181	
Filing Date	December 21, 2004	
First Named Inventor	Richard Walmsley	
Art Unit	not yet assigned	
Examiner Name	not yet assigned	
Attomey Docket Number	30276/04004	

				DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 5,068,515	11/26/1991	Bergh	
*		US-			
		US-			
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		US-			
		US-			
		US-			

Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	۳
		WO 99/39410 A1	08/05/1999	Visx, Incorpora		
		WO 02/056355 ·	01/15/2002	Ishikawajima-Ha		
		SU 1561-062 A ·	04/30/1990	Kuib Aviation		
		WO 95/18984 ·	07/13/1995	Coherent, Inc.		
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Examiner	Date	
Signature	Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Substitute for form 1449/PTO		Complete if Known		
- Cabada (6) 16/11/1445/1 1/C	Application Number	10/519,181		
INFORMATION DISCLOSURE	Filing Date	December 21, 2004		
STATEMENT BY APPLICANT	First Named Inventor	Walmsley		
(Use as many sheets as necessary)	Art Unit	not yet assigned		
lose as many sheets as necessary	Examiner Name	not yet assigned		
Sheet 2 of 2	Attorney Docket Number	30276/04004		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report from PCT/AU03/00791.	
Examiner		Date Considered	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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